

2011R01375
JM/ms

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA

Plaintiff,

v.

DAISY DEGUZMAN

Defendant.

Honorable Claire C. Cecchi, U.S.D.J.

Criminal No. 12-00389

CONSENT JUDGMENT AND
ORDER OF FORFEITURE

WHEREAS, on or about June 4, 2012, defendant Daisy Deguzman (hereinafter "defendant") pled guilty to an Information charging her with a violation of the federal health care program anti-kickback statute, Title 42, United States Code, Section 1320a-7b(b)(1)(A), and Title 18, United States Code, Section 2; and

WHEREAS, pursuant to Title 18, United States Code, Section 982, a person convicted of an offense in violation of Title 42, United States Code, Section 1320a-7b(b)(1)(A), shall forfeit to the United States any property, real or personal, that constitutes or is derived, directly or indirectly, from gross proceeds traceable to a violation of Title 42, United States Code, Section 1320a-7b(b)(1)(A), which is a Federal health care offense within the meaning of Title 18, United States Code, Section 982(a)(7); and

WHEREAS, by virtue of the above, the United States is now entitled to the possession of \$23,595 in United States currency (hereinafter "the Property") because it represents proceeds traceable to a violation of Title 42, United States Code, Section 1320a-7b(b)(1)(A); and

WHEREAS, on or about June 4, 2012, the United States Marshals Service received personal check number 2837, held in the name of Daisy Deguzman, drawn on Wells Fargo account number 1010119551183 payable to the United States Marshal in the amount of \$23,595, from the defendant; and

WHEREAS defendant Daisy Deguzman:

(1) Consents to the forfeiture to the United States of \$23,595 as property, real or personal, that constitutes or is derived, directly or indirectly, from gross proceeds traceable to the offense to which she pled guilty;

(2) Agrees to consent promptly upon request to the entry of any orders deemed necessary by the government or the Court to complete the forfeiture and disposition of property;

(3) Waives the requirements of Federal Rules of Criminal Procedure 32.2 and 43(a) regarding notice of forfeiture in the charging instrument, announcement of the forfeiture in the defendant's presence at sentencing, and incorporation of the forfeiture in the Judgment of Conviction;

(4) Acknowledges that she understands that forfeiture of property will be part of the sentence imposed upon her in this case and waives

any failure by the Court to advise her of this, pursuant to Federal Rule of Criminal Procedure 11(b)(1)(J), during the plea hearing;

(5) Agrees, pursuant to Rule 32.2(b)(3), to consent promptly to the finalization of the order of forfeiture before sentencing if requested by the government to do so;

(6) Waives, and agrees to hold the United States and its agents and employees harmless from, any and all claims whatsoever in connection with the seizure, forfeiture, and disposal of the property described above; and

(7) Waives all constitutional and statutory challenges of any kind to any forfeiture carried out pursuant to this Consent Judgment;

WHEREAS Rule 32.2(c)(1) provides that no ancillary proceeding is required to the extent that the forfeiture consists of a money judgment; and

WHEREAS good and sufficient cause has been shown,

It is hereby **ORDERED, ADJUDGED, AND DECREED:**


IT IS ORDERED that a money judgment in the amount of \$23,595 shall be entered against defendant Daisy Deguzman; and

IT IS FURTHER ORDERED that personal check number 2837, held in the name of Daisy Deguzman, drawn on Wells Fargo account number 1010119551183 in the amount of \$23,595, is hereby forfeited in full satisfaction of the aforementioned money judgment; and

IT IS FURTHER ORDERED that the United States District Court shall retain jurisdiction to enforce this Order, and to amend it as necessary, pursuant to Fed. R. Crim. P. 32.2(e); and

IT IS FURTHER ORDERED that pursuant to Rule 32.2(b)(4)(A), this Order of Forfeiture shall become final as to defendant Daisy Deguzman at the time of sentencing, or before sentencing if the defendant consents, and shall be made part of the sentence and included in the judgment; and

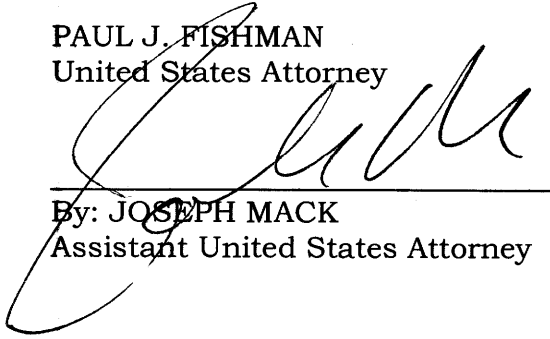
ORDERED this 6 day of September, 2012.



Honorable Claire C. Cecchi
United States District Judge

The undersigned hereby
consent to the entry and
form of this order:


PAUL J. FISHMAN
United States Attorney



By: JOSEPH MACK
Assistant United States Attorney

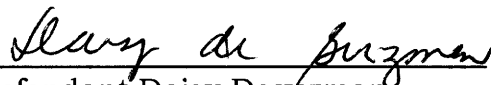
Dated:

8/15/12



DANIEL GIAQUINTO, ESQ.
Attorney for Defendant Daisy Deguzman

Dated: 8/15/12



Defendant Daisy Deguzman

Dated: